

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	05-00371-01-CR-W-DW
JOSE LOPEZ-LOPEZ,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On November 29, 2005, Defendant moved for a judicial determination of mental competency. Defendant was examined by Dr. John H. Wisner, M.D., who prepared a report dated January 25, 2006.

On February 16, 2006, I held a competency hearing. Defendant was present, represented by John Gromowsky. The government was represented by Assistant United States Attorney Bruce Clark. The parties stipulated to the contents and findings of Dr. Wisner (Tr. at 3).¹ In addition, the parties waived the ten-day objection period to the Report and Recommendation (Tr. at 9).

Based upon the uncontroverted evidence stipulated to by the parties in this case, I find that Defendant is competent to stand trial and to assist in his defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding defendant competent to stand trial and to assist in his defense.

¹“Tr.” refers to the transcript of the competency hearing.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
February 21, 2006